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'08 MJ 1525

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, v. Jaime GOVEA-Salmeron, Defendant	Magistrate Docket No. COMPLAINT FOR VIOLATION OF: Title 8, U.S.C., Section 1326 Deported Alien Found in the United States

The undersigned complainant, being duly sworn, states:

On or about **May 15, 2008,** within the Southern District of California, defendant, **Jaime GOVEA-Salmeron,** an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT
James Trombley
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **16th** **DAY OF MAY 2008.**

Cathy A. Bencivengo
UNITED STATES MAGISTRATE JUDGE

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CONTINUATION OF COMPLAINT:
Jaime GOVEA-Salmeron

PROBABLE CAUSE STATEMENT

On May 15, 2008, at approximately 8:00 am, Border Patrol Agent J. Clare was performing line watch duties in the Chula Vista area of operations. Agent Clare responded to a call, via bureau radio from sector dispatch, that a seismic intrusion device was activated in an area commonly referred to as "Copper Canyon." This area is located approximately seven miles east of the Otay Mesa, California Port of Entry and approximately one and a half miles north of the United States/Mexico International Boundary fence.

Agent Clare arrived at the area and was informed by Senior Border Patrol Agent A. Noyes, via bureau radio, that he had located seven individuals attempting to conceal themselves in some brush in Copper Canyon. Agent Clare approached the brush from a southern trail, as Border Patrol Agent O. Gomez approached the brush from the north. After a brief search Agents Clare and Gomez located seven individuals. Both Agents identified themselves as a United States Border Patrol Agents. All seven, including one later identified as the defendant **Jaime GOVEA-Salmeron**, admitted to being citizens and nationals Mexico without any immigration documents that would allow them to enter or remain in the United States legally. At approximately 9:00 a.m., all seven individuals were placed under arrest and transported them to the Chula Vista Border Patrol Station for processing.

The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to **Mexico on April 28, 2008**, through the Port of Entry at San Ysidro, California. These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.